



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Todd R. Golub, Eric S. Lander, Scott Pomeroy and Pablo Tamayo

Application No.: 10/066,305 Group: 1632

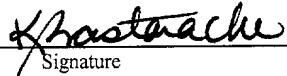
Filed: January 31, 2002 Examiner: Unknown

For: Brain Tumor Diagnosis and Outcome Prediction

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on 6/7/02 Date

 Signature

Kathleen M. Bastarache

Typed or printed name of person signing certificate

PRELIMINARY AMENDMENT AND PROPOSED DRAWING CORRECTION

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Please amend the above-identified application as follows:

In the Specification

In accordance with 37 C.F.R. §1.121(b)(3), please amend the Specification by replacing the Specification as filed (pages 1-21) with the enclosed Substitute Specification (pages 1-46). In accordance with 37 C.F.R. §1.121(b)(3)(iii) and 37 C.F.R. §1.125(b)(2), a marked up version of the Substitute Specification showing all the changes relative to the Specification as filed is attached as Exhibit A; deleted matter is indicated with brackets, and added matter is underlined. As required by 37 C.F.R. §1.125(b)(1), Applicants' Attorney states that the Substitute Specification includes no new matter.

In the Claims

Please amend Claims 12, 13, 24, 25, 28, 29 and 30. Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (page i).

12. (Amended) A method according to Claim 1, wherein one or more informative genes is selected from the group consisting of the genes in Tables 2-6.
13. (Amended) A method according to Claim 1, wherein one or more informative genes is selected from the group consisting of the genes in Table 1.
24. (Amended) A method according to Claim 14, wherein one or more informative genes is selected from the group consisting of the genes in Table 1.
25. (Amended) A method according to Claim 14, wherein one or more informative genes is selected from the group consisting of the genes in Tables 2-6.
28. (Amended) The method according to Claim 26, wherein the informative genes are selected from the group consisting of the genes in Table 1.
29. (Amended) The method according to Claim 26, wherein the informative genes are selected from the group consisting of the genes in Tables 2-6.
30. (Amended) An oligonucleotide microarray having immobilized thereon a plurality of oligonucleotide probes specific for one or more informative genes selected from the group consisting of the genes in Tables 1-6.

In the Drawings

Please cancel Figures 1A-1B, 2A-2B and 3A-3B.

REMARKS

Amendments to the Specification

The Specification has been amended in the Substitute Specification submitted herewith to incorporate the subject matter of Figures 1A-1B, 2A-2B and 3A-3B into Tables 1, 2 and 3, respectively. The Specification has also been amended to insert a substantial amount of the text formerly contained in Figures 4E, 5A-5B and 6A-6B into Tables 4, 5 and 6, respectively. Figures 1A-1B, 2A-2B and 3A-3B have been cancelled as discussed below; thus, the Brief Description of the Drawings has been amended to delete reference to those Figures and to renumber the remaining figures. Corresponding changes have been made throughout the Specification to refer to the tables instead of the drawings, as appropriate. The Specification has also been amended to correct various typographical errors. No new matter has been added and entry of this amendment is respectfully requested.

Claim Amendments

Claims 12, 13, 24, 25, 28, 29 and 30 have been amended to replace reference to the drawings with reference to the tables of the application, as appropriate. No new matter has been added.

Amendments to the Drawings

Figures 1A-1B, 2A-2B and 3A-3B have been cancelled. A substantial portion of the text contained in Figures 4E, 5A-5B and 6A-6B as filed has been incorporated into Tables 4, 5 and 6, respectively. Copies of Figures 4E, 5A-5B and 6A-6B with the deleted matter indicated in red ink are submitted herewith. Figures 4A-4E, 5A-5B and 6A-6B have been renumbered as Figures 1A-1I, 2A-2C and 3A-3C, respectively. A complete set of Formal Drawings reflecting these changes is also submitted concurrently with the Reply to the Notice to File Missing Parts. Entry of the Formal Drawings is respectfully requested.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

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MARKED UP VERSION OF AMENDMENTSClaim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

12. (Amended) A method according to Claim 1, wherein one or more informative genes is selected from the group consisting of the genes in Tables 2-6 [Figures 2A-2B, 3A-3B, 5A-5B and 6B-6C].

13. (Amended) A method according to Claim 1, wherein one or more informative genes is selected from the group consisting of the genes in Table 1 [Figures 1A-1B].

24. (Amended) A method according to Claim 14, wherein one or more informative genes is selected from the group consisting of the genes in Table 1 [Figures 1A-1B].

25. (Amended) A method according to Claim 14, wherein one or more informative genes is selected from the group consisting of the genes in Tables 2-6 [Figures 2A-2B, 3A-3B, 5A-5B and 6B-6C].

28. (Amended) The method according to Claim 26, wherein the informative genes are selected from the group consisting of the genes in Table 1 [Figures 1A-1B].

29. (Amended) The method according to Claim 26, wherein the informative genes are selected from the group consisting of the genes in Tables 2-6 [Figures 2A-2B, 3A-3B, 5A-5B and 6B-6C].

30. (Amended) An oligonucleotide microarray having immobilized thereon a plurality of oligonucleotide probes specific for one or more informative genes selected from the group consisting of the genes in Tables 1-6 [Figures 1A-1B, 2A-2B, 3A-3B, 5A-5B and 6B-6C].